

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KATHERINE L. SHERRARD)	
)	
COMPLAINANT)	
)	CASE NO.
VS.)	93-422
)	
GTE SOUTH INCORPORATED)	
)	
DEFENDANT)	

O R D E R

On November 8, 1993, Katherine L. Sherrard filed a formal complaint with the Public Service Commission against GTE South Incorporated ("GTE"). GTE was ordered to satisfy the matters complained of or file a written answer to the complaint. GTE filed its written response on December 16, 1994.

Ms. Sherrard subscribes to residential telephone service from GTE in the Elizabethtown, Kentucky exchange. Ms. Sherrard's complaint states that she received a letter from GTE postmarked October 21, 1993, which stated that Ms. Sherrard was the only party on a two-party line. Additionally the letter stated that GTE would upgrade her service to single line residential service effective November 10, 1993. This change in service would increase her present rate from \$16.88 to \$20.00, an increase of \$3.12 per month. Ms. Sherrard stated that this increase would cause financial hardship and she did not desire an upgrade in service.

GTE admits it notified Ms. Sherrard by letter on October 21, 1993 of the change in service. The notice was consistent with

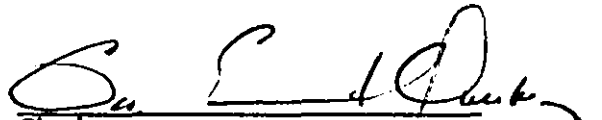
GTE's General Customer Services Tariff S3.2.1 which states:


offering of (two-party service) is limited to existing customers at present locations; however at such time as the customer is the only party on a two-party line and where facilities exist, the company will, after thirty (30) days written notice to the customer, reclassify the service to one-party service and apply the one-party rate.

The record shows GTE has followed its tariff except that it neglected to furnish Ms. Sherrard thirty days written notice of the reclassification of service. Accordingly, IT IS ORDERED that GTE refund or credit Ms. Sherrard's account \$3.12, the difference between the two-party and one-party rates for one month's service. GTE shall furnish the Commission with proof of refund or credit and upon receipt of such proof, this case will be dismissed without further Order by the Commission.

Done at Frankfort, Kentucky, this 29th day of April, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director